

Manchester Children's Services

Safeguarding Review 6 & 7 March 2013

27th March 2013

Setting:	Chetham's School of Music Long Millgate Manchester M3 1SB
Telephone number:	0161 834 9644
Email:	chets@chethams.com
Head / Principal:	Claire Moreland

1. **Context**

1.1 This report outlines the Local Authority (LA) and independent officer findings from the safeguarding review at Chetham's School of Music carried out on 6th and 7th March 2013. It should be read in conjunction with the Independent Schools Inspectorate (ISI) advice note to the Department for Education (DfE). The key findings outlined in this report should be addressed by the school as required by the ISI.

1.2 Section 11 of the Children Act 2004 requires Local Authorities (LA) and other named statutory partners to make arrangements to ensure that their functions are discharged with a view to safeguarding and promoting the welfare of children. Section 87 of the Children Act 1989 imposes a duty on the proprietor of a boarding school to safeguard and promote the welfare of children provided with accommodation. The statutory guidance for Director of Children's Services (DCS), re-issued in 2012, states that the DCS should ensure that there are clear and effective arrangements to protect children and young people within their area from harm (including those attending independent schools).

1.3 We are advised by the DfE that the current registered proprietorial body for Chetham's school is the Feoffees of Chetham's Hospital and Library. The Music School is one part of the Foundation of Chetham's Hospital School and Library, founded by Humphrey Chetham in 1653. The Feoffees as proprietor of the school have ultimate accountability for governance, management and control of the school.

1.4 At the time of the visit, there were 294 pupils on the roll, 151 girls and 143 boys. Of these, 225 were boarders, 107 boys and 118 girls. There were 20 pupils in Years 3 to 6, and 274 pupils in Years 7 to 13. Fifty-six pupils have been identified by the school as having special educational needs and one pupil has a statement of SEND. Thirty-nine pupils have English as an additional language and 19 receive support for their acquisition of English. Approximately one out of every three pupils comes from an ethnic minority background.

1.5 This was an announced review commissioned by the Strategic Director of Manchester Children's Services and carried out in agreement with the Headteacher and Chair of Governors. It focused on current safeguarding arrangements and took place at the same time as an announced inspection by the Independent Schools Inspectorate, carried out at the request of the DfE. The review's context was the series of allegations, complaints, prosecutions and the ongoing police investigations which had recently come to light relating to historic improper relationships between staff and pupils. The teams from Manchester Children's Services and ISI coordinated their work so that each took the lead on specific areas of concern as well as sharing their findings.

1.6 The review was carried out over two days by a LA team consisting of four local authority officers and one independent officer, alongside two inspectors from the Independent Schools Inspectorate (ISI).

1.7 The school facilitated the review, staff and pupils were open, warm and welcoming and gave the review team full access to the school.

2. Purpose of the review

2.1 The review explored the extent to which the school complies with a number of the DFE National Minimum Standards (NMS) for Boarding Schools 2013 and the Education Independent School Standards (ISI) (England) Regulations 2010 as in force from January 2013. The standards chosen were those most relevant to safeguarding and the structure and format was shared with the ISI and the school prior to the review.

2.2 ISI inspectors predominantly focused and reported on:

- Recruitment, selection and supervision of staff
- Complaints policy and procedures

2.3 The LA and independent officer predominantly focused and reported on:

- Safeguarding (including child protection): training, policy, provision and impact on practice
- Securing pupils' views

3. Summary of evidence

3.1 Discussions were held with forty pupils, six members of staff plus the Headteacher, Deputy Headteacher (Pastoral), Director of Music, Head of Academic Music, Child Protection Officer(CPO)/Special Educational Needs Co-ordinator, Chair of Governors and the Designated Governor for Safeguarding.

3.2 The LA team looked at a wide range of documentation including school policies, school handbooks, safeguarding documents, curriculum information, reports to the governing body/school committee and minutes of governing body/school committee meetings. The child protection policy that was considered for the purposes of the review was the one published and available on the school website on 18 February. Subsequently, a revised version has been published by the school.

3.3 In addition, the team took account of the views of 117 pupils and 146 parents who responded to an anonymous ISI on-line questionnaire.

4. Safeguarding (including child protection): Continuing Professional Development (CPD), policy, provision and impact on practice

4.1 Summary of key findings

- (a) 97% of parents who responded to the online questionnaire agreed with the statement 'the school keeps my child safe' and 94% of pupils agreed that 'I feel safe in my boarding house'. Discussions with pupils revealed that they feel safe in school and in their boarding houses.
- (b) A child protection policy is in place and all staff are made aware of it at induction. The policy makes reference to the Manchester Safeguarding Children's Board (MSCB) policies and procedures. The policy however, lacks clarity in certain areas. Evidence was found of practice that was inconsistent with the policy and some detail is omitted, as outlined below:

- i. MSCB procedures are referred to in the policy but there is insufficient information regarding the requirement to report safeguarding issues to Manchester Children's Services through the Manchester Contact Centre;
- ii. The school's procedure for reporting allegations of abuse against members of staff is unclear. Whilst page 8 paragraph 2 of the policy makes reference to the incident being immediately reported to the Headteacher, paragraph 3 states that 'the Head or the CPO will contact the LADO'. 2012 DfE guidance states that all allegations against a member of staff should normally be reported immediately to the Head, Principal or Proprietor if it is an independent school, not the CPO, who then contacts the LADO otherwise there is the potential for the process to be undermined. There should be a direct line of communication from the person receiving the allegation to the Headteacher and then to the LADO in order to reduce the risk of miscommunication or delay;
- iii. The school's procedure for dealing with issues of concern against members of staff is not always carried out in practice. The policy clearly states that after reporting the incident, 'the LADO and the Head will plan the next steps', however evidence was found of a delayed referral to the LADO i.e. after an internal investigation had taken place;
- iv. The school's practice in recording safeguarding concerns is not compliant with the policy. The policy states that the safeguarding concern form, attached as appendix 2 to the policy, should be completed, 'to record any concern about a student's safety'. The policy goes on to state, 'Make a written record of what was said, using the person's own words, as soon as possible – note the date, time, any names mentioned and to whom the information was given. Contemporaneous reports carry more weight. Sign and date the record and ensure that the CP Officer has been informed and has received the record. It is important that notes are factual and not opinion. These records may form part of the evidence in any subsequent investigation or trial';
- v. The Headteacher and governor for safeguarding had no knowledge of the frequency of the use of the forms, have taken no part in the monitoring of them and acknowledged that any scrutiny would be undertaken by the CPO. It is a cause for concern that only one form has been completed in the last two years;
- vi. Evidence from the review indicates that safeguarding concerns are regularly reported verbally to the CPO who then records the conversations and actions taken to address the concerns on a computer accessed only by her. This record however is often the CPO's interpretation of the conversation and not necessarily a record of the actual concern in the words of the person reporting. This could lead to a distorted view of events;
- vii. The CPO and other staff confirmed that the CPO's safeguarding concern records are used to prepare a child protection report for governing body/school committee meetings, summarising concerns and actions taken. The LA review team were informed that this is discussed at a pre meeting and also forms part of the Headteacher's report to the governing

body/school committee. There is no reference however of the CPOs December 2012 report in the minutes of the governing body/school committee meeting held on 28 January 2013. There is no written evidence to suggest close scrutiny or systematic monitoring of whether appropriate actions were taken following the reporting of the safeguarding concerns, whether the actions taken have had a positive impact on those identified as the cause of the concern, or whether or not there are individuals who are consistently the subject of concern. Safeguarding issues are raised in the CPO reports and the lack of documented scrutiny by senior leaders/governors is a cause for concern;

- viii. No evidence was provided of any formal, minuted governing body/school committee meetings called so that leaders and governors could reflect on the implications of recent allegations in connection with the school, carry out appropriate scrutiny, audit and self evaluation and consider the need to conduct a comprehensive review of current safeguarding policies, procedures and practice;
 - ix. There was no evidence to confirm that governors had sought assurances about current safeguarding arrangements, given the context of recent allegations, resulting in convictions and arrests of individuals connected with the school. A current employee was arrested on 14th February 2013 in relation to an historic allegation, is presently suspended and is the subject of ongoing police investigation.
 - x. It was noted that there is a heavy reliance on the CPO regarding all safeguarding issues. There is limited time and capacity to manage significant demand due to the lack of consideration and emphasis placed on safeguarding being a shared responsibility, supported by appropriate infrastructure, resources and supervision;
- (c) All staff receive the recommended basic child protection training at induction. This is then updated every three years. The CPO, Headteacher, Deputy Headteacher (pastoral), Bursar and Human Resources Officer have all accessed safeguarding training at a higher level which is refreshed every two years.
- (d) Minutes of governing body/school committee meetings confirm that the child protection policy is reviewed annually by the governing body/school committee. The LA review team were informed that all staff are made aware of any updates by letter and a revised copy is displayed in communal staff rooms. There was no evidence of a systematic approach to monitoring whether staff have read or understood the updates or whether this impacts on practice.
- (e) Whilst the school states it provides all staff and volunteers with a child protection and safeguarding 'Quick Guide' regarding appropriate and inappropriate conduct of staff, there was confusion amongst staff as to whether or not such a guide exists. Not all staff were aware of the guide, or its content in relation to safeguarding staff or pupils during school or home tuition. Given the fact that there is often a need for physical contact between tutor and pupil, for example when demonstrating the use of instruments, this uncertainty regarding the existence of appropriate guidance is a cause for concern.

- (f) A pupil code of conduct is clearly outlined in pupil and parent handbooks. It is predominantly focussed on school rules, routines and safety whilst out in the city centre. It does not cover staying safe in terms of what constitutes appropriate and inappropriate conduct/behaviour. The conduct that should be expected from staff is not included in the pupil and parent handbooks.
- (g) A 'teaching at home policy', (i.e. teaching within a tutors home) has been adopted by the school together with a risk assessment which has to be carried out regarding the suitability of that part of the tutors home which has been identified as the intended location for teaching. Both the policy and risk assessment have been compiled from a health and safety perspective rather than one of safeguarding the tutor and/or pupil. This leaves the school vulnerable if any concerns arise in relation to safeguarding pupils or staff.
- (h) There are inconsistencies in relation to the CPO, designated governor for safeguarding and the head of academic music's understanding of school policy and procedures for teaching at the home of a tutor. This ranges from an understanding that pupils 'wouldn't ever have home tuition', to it is not encouraged or sanctioned by the school and would only be agreed and arranged by parents, to if there was an exceptional circumstance that required teaching at the home of a tutor, there would be a risk assessment completed and parental consent sought. No reference is made to home tuition in the staff, pupil or parents handbooks. During interviews with pupils some pupils stated that home tuition regularly takes place.

4.2 Safeguarding (including child protection) CPD, policy, provision and impact on practice: Conclusion

- (a) The school's policy and procedures for safeguarding its pupils are in place however they are not robustly understood and followed by all staff and governors.
- (b) Current practice is not always in line with policy which leaves the school vulnerable to providing assurances that appropriate and consistent action would be taken if there were any safeguarding concerns.
- (c) There is little minuted evidence of robust overview or rigorous scrutiny of safeguarding policy, practice or procedures by senior leaders and governors.
- (d) The school is not fully compliant with National Minimum Standard 11:
The school ensures that: arrangements are made to safeguard and promote the welfare of pupils at the school; and such arrangements have regard to any guidance issued by the Secretary of State.
- (e) The proprietor is not fully compliant with Independent School Standard Part 3, paragraphs 7 and 8:

- 7. The standard in this paragraph is met if the proprietor ensures that:
 - (a) arrangements are made to safeguard and promote the welfare of pupils at the school; and

(b) such arrangements have regard to any guidance issued by the Secretary of State.

8. Where S87(1) of the Children Act 1989 applies in relation to a school the standard in this paragraph is met if the proprietor ensures that -

(a) arrangements are made to safeguard and promote the welfare of boarders while they are accommodated at the school; and

(b) such arrangements have regard to the National Minimum Standards for Boarding Schools or, where applicable, the National Minimum Standards for Residential Special Schools.

5. Securing pupils' views

5.1 Summary of key findings

- a) A process for induction of new boarders is in place. Pupils have the opportunity to visit the school with their parents/guardians and have discussions with tutors and house parents prior to the start of term.
- b) All pupils and parents/guardians are issued with a handbook providing information such as the school rules and daily routines including use of free time, a code of conduct, the school's tutor system, healthcare provision, complaints procedures and maintaining contact when out of school.
- c) Sources of support and where to go to for advice are clearly identified in handbooks. In discussion with pupils, they were all confident that they could approach a range of adults in school including house staff, health staff, tutors, heads of departments, pastoral lead, CPO and the Headteacher. In addition, pupils knew about various help lines that they could also use and information and telephone numbers were clearly visible in each boarding house.
- d) The named governor for safeguarding has been identified as the person other than a parent, outside the boarding and teaching staff of the school, who pupils can talk to if they feel the need. No reference is made of this in the pupil or parent handbooks. When pupils were asked about who, other than a parent/guardian they could turn to, some pupils cited the named governor for safeguarding, others did not know about such a person and one pupil referred to them as 'some random person' that they were told to contact if they needed to and added that they were told about this person in a recent assembly.
- e) The school runs a supportive system for younger pupils whereby sixth form pupils volunteer to be a 'guardian angel' for a younger pupil. The staff handbook refers to how the sixth formers look after pupils if they are homesick, take them shopping and generally look out for them around the school. The staff handbook notes that 'this has been a really successful scheme which we have been running for many years.' When directly questioned about the scheme, pupils' responses were mixed which demonstrates some inconsistencies regarding the impact of the scheme. For some, the scheme had worked successfully and they were still in contact with their guardian angel. Others knew their name and had contact with them during the initial few weeks at school but that contact had diminished over time and stopped altogether. Some of the younger pupils however didn't know who their guardian angel was

or that they had been allocated one. This was also reflected in the responses by older pupils. The views of the pupils as to how effective the scheme is have not been sought by the school.

- f) In discussions with pupils, they all felt safe and confident to participate and contribute in lessons at Chetham's.
- g) Pupils and staff made reference to suggestion boxes, boarding house discussion and the school forum as providing pupils with an opportunity to raise issues or share their views about school. Except for the school forum, staff and pupils were not aware of whose responsibility it was to co-ordinate all their views or provide systematic feed back.
- h) All pupils were clear about the process of electing a peer to represent them at the forum. There is evidence to suggest that changes have been brought about as a direct result of pupils raising issues at the forum. For example, water fountains have been installed, changes to the school uniform have been made and catering staff have changed menus.
- i) It was the view of some pupils however, that there was little point in raising issues or concerns because they would not be listened to or acted upon. This was borne out in the pupils' response to the ISI questionnaire. 36% of pupils responded negatively to the statement: 'the school asks for my opinions and responds to them', when a negative response of more than 20% is seen as significant by the ISI.
- j) In discussion mainly with older pupils, they expressed concern regarding the lack of training and advice provided by the school on building personal resilience, which would equip them with the necessary skills for life outside Chetham's School of Music. They made reference to the fact that they were constantly told that they were special but had realised that this was within the context of attending a specialist school and excelling musically. They knew that in different settings and given different circumstances, they would not 'be special' and felt that the school does not prepare them emotionally for this inevitability. This is reflected in the narrow range of topics covered in the scheme of work for personal and religious studies, the school's equivalent of personal, social and health education (PSHE).

5.2 Securing pupils' views: Conclusion

- a) Pupils are given appropriate information and guidance at induction but this lacks specific information about staying safe and developing personal resilience. They know that there is a range of people that they can turn to in school if they have any worries or concerns. Not all pupils however are aware of a person to whom they can turn who is outside the boarding and teaching staff of the school.
- b) The school has some mechanisms to gather the views of pupils and there is evidence that these have been acted upon. This approach however is reactive rather than proactive. There is a lack of evidence to suggest that the school has developed proactive approaches to seeking the views of pupils or to

systematically collating and responding to views raised through these mechanisms.

- c) The school is compliant with National Minimum Standard 2.1, 2.2 but not fully compliant with 2.3.
 - 2.1 There is an appropriate process of induction and guidance for new boarders.
 - 2.2 Each boarder has a choice of staff to whom s/he can turn for personal guidance or for help with a personal problem.
 - 2.3 The school identifies at least one person other than a parent, outside the boarding and teaching staff of the school, who boarders may contact directly about personal problems or concerns at school. The school ensures that boarders know who this person is, and how to contact them. Boarders are also provided with one or more appropriate helpline(s) or outside contact numbers, including the Children's Rights Director, to ring in case of problems or distress.
- d) The school is compliant with National Minimum Standard 17.
 - 17. Boarders have an opportunity to contribute views to the operation of boarding provision, are able to raise concerns and make complaints, and their views are given appropriate weight in decisions about the running of the school. Pupils are not penalised for raising a concern or making a complaint in good faith.

6. Overall conclusion

6.1 The Local Authority saw little evidence that the Governing body/school committee have sufficiently held the senior leaders of the school to account regarding providing assurances that the current arrangements for safeguarding are actually being implemented, applied robustly, monitored appropriately or evaluated effectively. In the context of recent convictions, allegations and ongoing police investigations, where extra assurances would be expected, this is a cause for concern.

6.2 Arrangements are present to promote a culture and climate of effective safeguarding at Chetham's School of Music but the arrangements are not routinely and reliably implemented, robustly applied, monitored or evaluated by the senior leadership team, governors and Feoffees. This demonstrates inadequate oversight of safeguarding by the proprietors and therefore the Local Authority is not confident about the overall effectiveness of the leadership and governance of safeguarding arrangements in the school.

6.3 The Feoffees as proprietors of the school have not effectively discharged their duties with respect to safeguarding and promoting the welfare of pupils. They have not ensured that the Headteacher has fulfilled her duties for the effective implementation of the school's policies and procedures in regard to safeguarding and promoting the welfare of pupils.

6.4 It is our view that in similar circumstances, in a state-maintained school setting, the nature of these findings, including the current context referred to in 6.1 above, would lead us to invite the chair of governors or trustees to a formal review meeting to discuss the capacity for governance and senior leadership to address the failings identified.